

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 TRUSTEES OF THE BRICKLAYERS &  
5 ALLIED CRAFTWORKERS LOCAL 13  
6 DEFINED CONTRIBUTION PENSION  
7 TRUST FOR SOUTHERN NEVADA, *et*  
8 *al.*,

9 Plaintiffs,

10 v.

11 COMMERCIAL UNION TILE & STONE,  
12 INC., *et al.*,

13 Defendants.

Case No. 2:15-cv-02129-APG-NJK

**ORDER FOR STATUS REPORT**

14 On November 21, 2016, the plaintiffs filed a motion for summary judgment against  
15 defendants Commercial Union Tile & Stone, Inc.; Vegas Affordable Stone and Tile, Inc. (VAST);  
16 Stone Consulting, LLC; Jonathan William Canja; and Jedediah Michael Feller. ECF No. 54. That  
17 same day, defendants Feller, VAST, and Stone Consulting moved for summary judgment. ECF  
18 Nos. 53, 55, 56. The defendants did not respond to the plaintiffs' summary judgment motion, and  
19 the plaintiffs did not respond to the defendants' respective motions.

20 The plaintiffs thereafter settled with defendants Feller and Stone Consulting, so I denied  
21 those defendants' summary judgment motions as moot. ECF Nos. 76, 77, 80, 81. Defendant  
22 VAST withdrew its motion for summary judgment based on a settlement that would include it  
23 (ECF No. 74); however, no stipulation to dismiss VAST has been filed.

24 The plaintiffs previously filed a notice that defendants Commercial Union and Canja had  
25 not opposed the plaintiffs' summary judgment motion. ECF No. 75. The plaintiffs recently filed  
26 a notice that VAST has not opposed the plaintiffs' summary judgment motion. ECF No. 79.

27 In light of this history, I will direct the parties to prepare a joint status report regarding  
28 whether a settlement between the plaintiffs and VAST has been completed or is contemplated; if  
not, whether VAST's unopposed summary judgment motion should be reinstated; and whether

1 consideration of the plaintiffs' motion for summary judgment against defendants Commercial  
2 Union and Canja should be deferred pending settlement efforts (if any) with those defendants.

3 IT IS ORDERED that the parties shall file a joint status report regarding these issues on or  
4 before July 14, 2017.

5 DATED this 27th day of June, 2017.

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9 ANDREW P. GORDON  
10 UNITED STATES DISTRICT JUDGE  
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